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December 29, 2021

District Judge Paul G. Gardephe  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: 1:21-cv-08361-PPG  
Mogollon v. Costco Wholesale Corporation

Dear District Judge Gardephe:

This office represents the Plaintiff. This action was filed on October 10, 2021. ECF No. 1. Defendant waived service on November 18, 2021, and its answer or response is due January 18, 2022. ECF No. 11. An initial conference is scheduled for January 6, 2022, at 11:00 AM, with the proposed civil case management plan and scheduling order to be submitted by December 30, 2021.

In accordance with the Court's Individual Rules, the parties request an adjournment of the initial conference and accompanying submissions, and the date by which Defendant is required to answer or respond. It is anticipated this action may be voluntarily dismissed within a short time after the date by which Defendant's answer or response is due.

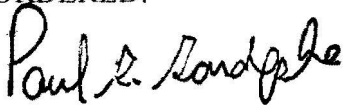
There has been no previous request for an adjournment of the initial conference nor extensions of time to file the accompanying submissions and Defendant's date to answer or respond. No previous request was granted or denied. Defendant consents to this request. The proposed new date for the initial conference and Defendant's deadline to answer or respond is February 22, 2022, with submissions filed no later than February 15, 2022. This request is not submitted at least 48 hours prior to the time by which submissions for the initial conference are due because the parties' discussions had not advanced to where they currently are. Thank you.

Respectfully submitted,

/s/Spencer Sheehan

**Memo Endorsed:** The initial pretrial conference currently scheduled for January 6, 2022 at 11 a.m. will instead take place on February 24, 2022 at 9:30 a.m., with submissions due seven days prior. Defendant's deadline to answer or respond to the Complaint is extended until February 22, 2022.  
Dated: January 3, 2022

SO ORDERED.



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Paul G. Gardephe  
United States District Judge